



January 24, 2006

Dear Massachusetts Forestry Committee:

Thank you for volunteering for, and serving on, the Massachusetts Forestry Committee. I appreciate the time and effort you are contributing toward improving how Massachusetts implements the Forest Cutting Practices Act.

Director of State Parks and Recreation Priscilla Geigis and I have completed our review of the Committee's recommendations from the December 2005 meeting. Prior to our review, I requested that the Bureau of Forest Fire Control and Forestry review the Committee's recommendation. The Bureau strongly urged the approval of all three Committee recommendations, as written. Therefore, the following changes to the Forest Cutting Practices Act Cutting Plan Form have been approved.

Item #1: Appointment of Agent Form and Acknowledgement and Certification of Standards Form Recommendations:

- A. The Appointment of Agent Form is required. Agents are required to clearly identify who they represent in relation to the proposed cutting plan and subsequent harvesting and sale of timber (e.g., the landowner, harvesting contractor, a forest products company, etc.). The form must bear the original signature of the agent and landowner(s) and be submitted as an attachment to the cutting plan.
- B. An Acknowledgement and Certification of Standards Form is required. Licensed foresters are required to certify their adherence to the standards of practice established by the Forester Licensing law [M.G.L. c. 132, ss. 47-50] and regulations. The form must bear the original signature of the agent and landowner(s) and be submitted as an attachment to the cutting plan.

After review and approval by the Director and Commissioner, the Bureau will prepare draft forms for review by the MFC at the next Committee meeting.

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Item #2: Other (OT) Harvesting Category Recommendation:

- A. The Cutting Plan form will be altered by removing the reference to both **High Grading** and **Diameter Limit Cut** under the “Non-Standard System” harvesting category.
- B. The “Other” (OT) category will be retained, but modified to include the following information **“based upon silvicultural principles.”** In addition, the following shall be required if “Other OT” Category of harvesting is selected: **All “Other (OT)” practices shall require a satisfactory narrative justification for the proposed treatment based upon silvicultural principles.**

I understand that during the meeting of January 30, 2006, recommended changes to the Forest Cutting Practices Act Cutting Plan Form will be discussed further. The Bureau has been instructed to prepare a draft revised Cutting Plan Form, after any additional changes the Committee may recommend have been reviewed by myself and the Director.

As you are aware, I have instructed all Divisions within the Department of Conservation and Recreation to review, and propose changes to, all Department-issued regulations related to Chapter 132, Forest Cutting Practices Act. I understand the complexity and controversy associated with this undertaking. I would like the Committee, working with the Bureau and interested members of the public, to provide me with recommended changes to the Forest Cutting Practices Act regulations by the end of August 2006. After review by myself and the Director, changes will be promulgated through the required public review process.

If you have questions of concerns please discuss them with Chief Forester Jim DiMaio.

Sincerely,



Stephen H. Burrington
Commissioner

cc: Priscilla Geigis, Director of State Parks and Recreation
Thomas LaRosa, General Counsel